

March 2, 2005

Case No.: AUS920010195US1 (9000/36)

Serial No.: 09/820,499

Filed: March 29, 2001

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REMARKS/DISCUSSION OF ISSUES

In the Non-Final Office Action, Examiner Steelman rejected pending claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,317,509 to Caldwell in view of U.S. Patent No. 6,430,553 B1 to *Ferret*. The Applicant responds to each rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112.

Specifically, the Applicant has thoroughly considered Examiner Steelman's remarks concerning the patentability of claims 1-20 over *Caldwell* in view of *Ferret*. The Applicant has also thoroughly read *Caldwell* and *Ferret*. To warrant this §103(a) rejection of pending claims 1-20, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify *Caldwell* in view of *Ferret* as proposed by Examiner Steelman. See, MPEP §2143. The Applicant respectfully traverses this §103(a) rejection of claims 1-20, because *Caldwell* teaches away from claims 1-20, in particular "the delimiter being selected from the group consisting of a single character delimiter and a multi-character delimiter" as recited in independent claims 1, 9 and 15.

Specifically, *Caldwell* discloses a delimiter being selected from a group consisting of a single character delimiter having a single byte and a single character delimiter having multiple bytes, which are factored into single character delimiters having a single byte. See, *Caldwell* at column 6, lines 17-56. A proper understanding of *Caldwell* reveals that *Caldwell* teaches away from a delimiter being selected from a group consisting of a multi-character delimiter irrespective of the byte size of the delimiter. Moreover, a modification of *Caldwell* in view of *Ferret* would render *Caldwell* as being unsatisfactory for its intended purpose, and thus, by law, there is no suggestion or motivation to make the proposed modification.

Withdrawal of the rejection of claims 1-20 under §103(a) as being unpatentable over *Caldwell* in view of *Ferret* is therefore respectfully requested.

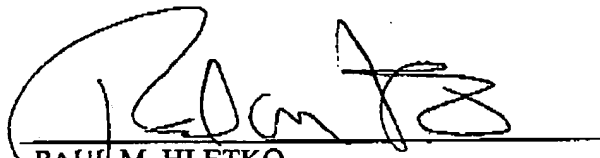
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CONCLUSION

The Applicant respectfully submits that claims 1-20 as listed herein fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

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CARDINAL LAW GROUP
Suite 2000
1603 Orrington Avenue
Evanston, Illinois 60201
Phone: (847) 905-7111
Fax: (847) 905-7113


PAUL M. HLETKO
Registration No. 51,806
Attorney for Applicant